

Rulemaking Hearing Rules  
of the  
Tennessee Regulatory Authority

Chapter 1220-4-2-.56 Verification of Orders for Changes for Local  
and Long Distance Carriers

Amendments

Rule 1220-4-2-.56 Verification of Orders for Changes for Local and Long Distance Carriers is amended by deleting part 2 of subparagraph (d) of paragraph (2) in its entirety and by adding instead the following language:

(2)

(d)

2. A notification letter, pre-approved by the Authority, shall be mailed by the current provider of telecommunications service to its customers describing the customer transfer and explaining that unless the customer selects another telecommunications service provider, the customers' local or long distance service will be transferred to the acquiring telecommunications service provider by a date specified in the notification letter. The notification letter shall be mailed by U.S. First Class Postage, with the logo or name of the current provider displayed on both the letterhead and the exterior envelope, no less than thirty (30) days prior to the actual customer transfer. For good cause shown, the Authority may waive any requirement of this part or order any requirement thereof to be fulfilled by the acquiring provider. Good cause includes, but is not limited to, evidence that the current provider is no longer providing service in Tennessee.

Authority: T.C.A. §§ 4-5-201 *et. seq.*, 65-2-102, 65-2-106, 65-4-101, 65-4-104, 65-4-123, 65-4-125 and 47 U.S.C. § 258. Administrative History: Original rule filed December 15, 1994; effective April 30, 1994. Amendment filed September 14, 1999; effective November 26, 1999. Amendment filed October 31, 2001; effective January 14, 2002.

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Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

  
Deborah Taylor Tate  
Chairman

The roll-call vote by the Tennessee Regulatory Authority on these rulemaking hearing rules was as follows:

	Aye	No	Abstain
Deborah Taylor Tate, Chairman	<u>X</u>	<u>          </u>	<u>          </u>
Pat Miller, Director	<u>X</u>	<u>          </u>	<u>          </u>
Sara Kyle, Director	<u>X</u>	<u>          </u>	<u>          </u>
Ron Jones, Director	<u>X</u>	<u>          </u>	<u>          </u>

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the Tennessee Regulatory Authority on the 21st day of October, 2003.

Further, I certify that the provisions of T.C.A. § 4-5-222 have been fully complied with, that these rules are properly presented for filing, a notice of rulemaking has been filed in the Department of State on the 22nd day of July, 2003, and such notice of rulemaking hearing having been published in the August, 2003 issue of the Tennessee Administrative Register, and such rulemaking hearing having been conducted pursuant thereto on the 22nd day of September, 2003.

Deborah Taylor Tate

Deborah Taylor Tate  
Chairman

Subscribed and sworn to before me this the 26 day of November, 2003.

Lynda Lu Perrin

Notary Public

My commission expires on the 28 day of May, 2006.

All rulemaking hearing rules provided for herein have been examined by the Attorney General & Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5, Section 211.

Paul G. Summers

Paul G. Summers  
Attorney General & Reporter

The rulemaking hearing rules set out herein were properly filed in the Department of State on the 27<sup>th</sup> day of January, 2003, and will become effective on the 12<sup>th</sup> day of April, 2003.

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Riley C. Darnell

Riley C. Darnell  
Secretary of State

By: Marlon J. Crow